

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TIMOTHY ROBINSON,	:	CIVIL ACTION
Plaintiff	:	
	:	
vs.	:	No. 06-4306
	:	
MICHAEL ASTRUE,¹	:	
Commissioner of Social Security,	:	
Defendant	:	

ORDER

AND NOW, this 27th day of September, 2007, upon careful and independent consideration of the plaintiff's request for review (Document #8), the defendant's response thereto² (Document #9), and the plaintiff's reply brief (Document #11), and after careful review of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells (Document #12), IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The plaintiff's request for review is GRANTED in part and DENIED in part;
3. The case is REMANDED to the Commissioner in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with this opinion.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.

¹ Michael Astrue, the current Commissioner of the Social Security Administration as of February 12, 2007, has been substituted for Joanne B. Barnhart as the defendant in this action pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure.

² A member of my staff contacted the Office of General Counsel at the Social Security Administration to confirm that the Commissioner would not be filing objections to the Report and Recommendation.